

**VILLAGE OF FONTANA ON GENEVA LAKE**  
**WALWORTH COUNTY, WISCONSIN**  
(Official Minutes)

SPECIAL JOINT WORKSHOP SESSION of the VILLAGE OF FONTANA  
BOARD OF TRUSTEES with PLAN COMMISSION  
**Monday, April 30, 2012**

Village President Arvid Petersen called the meeting of the Village Board and Plan Commission to order at 6:15 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Plan Commission members present:** President Petersen, Scott Vilona, Micki O’Connell, Sarah Lobdell

**Plan Commission members absent:** George Spadoni, Harry Nelson, F.J. Frazier

**Trustees present:** President Petersen, Tom McGreevy, Cindy Wilson, Rick Pappas, Bill Gage

**Trustees absent:** George Spadoni, Pat Kenny

**Also Present:** Kristen and Tom Freytag, Administrator/Treasurer Kelly Hayden, Don and Merilee Holts, Jim Howe, Rob Ireland, Mike Keefe, Robert Klockars, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector Ron Nyman, Jim Olson, Mike Slavney, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

**Joint Meeting Business – Chapters 17 and 18 Final Draft**

**Provide Direction on Temporary Business Signs in the Abbey Resort Subdistrict**

Village Planner Mike Slavney stated that the Section 18-40 Abbey Resort Subdistrict provisions pertaining to Temporary Business Signs were amended as directed, including the removal of a provision that stated there was no time limitation for temporary business signs. In response to a question from Village Attorney Dale Thorpe, Slavney stated that he forwarded the amended language to the Abbey Resort representatives.

Trustee McGreevy/Trustee Gage 2<sup>nd</sup> made a MOTION to include the amended language in the Section 18-40 as presented, and the MOTION carried without negative vote.

**Provide Direction on Creation of Additional Lots in the Lakefront Residential District**

Slavney stated that Lakefront Residential Zoning District provisions for lot line adjustments were amended to include the provision that lot line adjustments “are intended to enable property owners of nonconforming structures or substandard lots the ability to bring such structure or lot into conformity with district standards;” however, lot line adjustments shall not enable the creation of additional principal dwellings or other principal structures. Slavney stated that language prohibiting the reconfiguration or assemblage of lots to increase density in the Lakefront Residential District also was added to the section. Slavney stated that if adopted this provision would preserve the ability for the large remaining lots on the lakefront in the Village to be divided. Because of the high value of these lakefront properties, and because of the attention that additional lakefront development generates, it would be prudent to clearly list these remaining development rights directly on the Zoning Map for each of these properties to memorialize these rights, reduce the possibility of conflicting interpretations regarding the intent and calculation resulting from this provision, and make such rights as evident as possible.

Trustee Gage/Trustee McGreevy 2<sup>nd</sup> made a MOTION to include the amended language in the rewritten Chapters 17 and 18 as presented, and the MOTION carried without negative vote.

**Provide Direction on Potential Adjustment of Lot Area and Width Requirements of the Lakefront Residential District**

Slavney stated that a graphic was added to his April 19, 2012 memo that identifies the five lakefront parcels that are large enough to split and create an additional lot for a principal structure, and lists the zoning regulations in the other lake municipalities. As well as the standards of the zoning code, Thorpe stated that the lot owners’ development restrictions also will be based on primary environmental corridors located on the parcels. A lengthy discussion ensued on the options for total lot area and width requirements that were delineated in the graphic. Pappas stated that the Village

may want to consider establishing a minimum width of 125 feet at the lakefront for new parcels that abut the lakefront. McCarthy stated that if that requirement is established for new lots at the lakefront, then it also should be required at the street. A lengthy discussion ensued on the current method of calculating the lot width of a parcel and the proposed method that is currently included in the rewritten code. Tom Freytag then asked for a clarification on the purpose of the Chapters 17 and 18 rewrite project and if the village was trying to restrict moorings. Thorpe stated that the year-long process has been undertaken to update and address inconsistencies in the Village zoning code. The Plan Commission and Village Board members reached the consensus that the minimum width for a newly created lot in the Lakefront Residential District should be 125 feet and the minimum lot size should be 40,000 square feet.

Trustee Gage/Trustee Pappas 2<sup>nd</sup> made a MOTION to direct staff to incorporate into the new Lakefront Residential Zoning District lot area and width requirements for newly created lots that the abut the lakefront to be a minimum of 40,000 square feet in total size, 125 linear feet at the lakefront, an average width of 125 feet, and to use the lot width calculation language that is in the current zoning code. The MOTION carried without negative vote.

### **Provide Direction on Restrictions for Accessory Structures**

Slavney stated that proposed language for the Lakefront Residential District states that accessory uses shall not be located between a principal building and a street frontage on the same lot, nor within any required front yard or street side yard. Slavney stated that rather than having accessory uses such as swimming pools and tennis courts located closer to the lake, the regulations require accessory uses to be located on the street side of the residence between 25 feet of the road and the main structure.

Trustee Pappas/Trustee McGreevy 2<sup>nd</sup> made a MOTION to include the language in the April 20, 2012 emailed messages from Bridget McCarthy and Brandy Howe in the rewritten Chapter 18 as presented, and the MOTION carried without negative vote.

### **Provide Direction on Amendments to Lakefront Pyramiding Ordinance Suggested by GLC Attorney**

Thorpe stated that he distributed the draft of the proposed revisions to the other staff members for review, and he is expecting comments from William O'Connor, the attorney representing the Geneva Lake Conservancy, later in the week.

### **Other Relevant Items**

Slavney stated that he received a phone call from Attorneys Bob Leibsle and Jim Howe who had a couple of questions related to construction of new structures on substandard lots of record in the Environmental Corridor Overlay District. Based on that conversation, Slavney stated that he would like to offer the following edits and clarifications to Article 7: Overlay Zoning Districts: Adjust Section 18-108(f)(7)-(9) as follows:

- (7) No structures shall be erected within the separation distances specified in (g), below.  
~~protected open space areas as designated by the Village.~~
- (8) No lands shall be disturbed within the separation distances specified in (g), below.  
~~protected open space areas as designated by the Village.~~
- (9) No vegetation shall be removed from the separation distances specified in (g), below  
~~protected open space area,~~ except for invasive, non-native, dead or diseased vegetation.  
~~All development shall meet the separation distance requirements in (g), below.~~

Adjust Section 18-108(h) as follows:

- ~~(h)~~ Pre-Existing Lots. Single-family development (including principal structures, accessory structures, and paved areas) may be permitted on existing conforming or legal nonconforming lots of record through the conditional use process in instances where such development is proposed within the separation distances specified in (g), above. Such conditional use application shall demonstrate to the satisfaction of the Plan Commission and Village Board that all proposed development will have minimal adverse environmental impacts. is permitted in accordance with the requirements of the underlying standard zoning district.

Trustee McGreevy/Trustee Gage 2<sup>nd</sup> made a MOTION to direct staff to incorporate the changes into the rewritten Chapter 18 as presented, and the MOTION carried without negative vote.

### **Schedule for Project Finalization & Schedule Public Hearing If Appropriate**

Thorpe stated that it would be prudent for the Plan Commission and Village Board members to wait to review the entire rewritten Chapters 17 and 18, with the changes directed that night, prior to setting the public hearing. Hayden stated that when the public hearing is scheduled, the Plan Commission and Village Board members may want to schedule it a couple months out in order to give property owners plenty of time to review the rewritten chapters. Petersen stated that once the changes directed that night were incorporated, the rewritten chapters should be distributed; and if necessary, a special joint meeting can be scheduled to review the draft document and set the public hearing.

### **Joint Meeting General Business**

#### **Concept Review of Lake Geneva Yacht Club Planned Development PIP Amendment**

Jim Olson, president of Briohn Design Group, LLC, Brookfield, and an associate presented conceptual plans for a new two-story building with a wrap-around outdoor deck to replace the current Lake Geneva Yacht Club and Sailing School building. An amendment to the Planned Development General Development Plan and Precise Implementation Plan will be required to authorize the proposal. Although the conceptual plans for the new building call for the roof of the structure to exceed 35 feet at some points, there were no concerns with the proposal. Mike Keefe stated that as well as creating more green space and constructing a new stormwater run-off detention pond on the site, the proposal includes moving the new building back to 28 feet from the lot line. The current building is located only 19 feet off the lot line. The consensus of the Plan Commission and Village Board members present was that the proposed new building would benefit the site and the lake because of less impervious surface and the updated stormwater management plan. Workman stated that the planners should be aware of existing easements on the property for storm sewer and sanitary sewer lines, as well as the existing lift station.

#### **Lot Line Adjustment for Two Parcels on Shabbona Drive**

Thorpe stated that the proposal to create a new lot at 722 Shabbona Drive for the site of a new residential structure is not approvable as a lot line adjustment. Thorpe stated that the property owner will have to file and receive approval for a Certified Survey Map.

### **Adjournment**

Commissioner O'Connell/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to adjourn the Plan Commission meeting at 7:33 pm, and the MOTION carried without negative vote.

Trustee McGreevy/Trustee Gage 2<sup>nd</sup> made a MOTION to adjourn the Village Board meeting at 7:33 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board and Plan Commission, the official minutes will be kept on file at the Village Hall.

APPROVED: 5/7/12 – VB; 6/4/12 – PC